



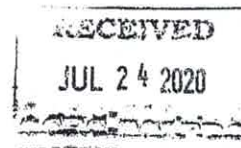
OHIO CIVIL RIGHTS COMMISSION EMPLOYMENT CHARGE OF DISCRIMINATION

Charging Party: TOLA2(40576)07132020
22A-2020-02388C

OCRC Case Number:

Date of Hire:
1-20-2006

Position:
Patrol Sergeant



I was subjected to:

- | | | |
|---|--|--|
| <input type="checkbox"/> A denial of promotion | <input type="checkbox"/> Denial of a reasonable accommodation | <input checked="" type="checkbox"/> Harassment (including sexual harassment) |
| <input type="checkbox"/> A forced resignation | <input checked="" type="checkbox"/> Different terms and conditions of employment | <input type="checkbox"/> Layoff/Denial of Recall |
| <input checked="" type="checkbox"/> Demotion | <input checked="" type="checkbox"/> Discharge/Termination | <input type="checkbox"/> Unequal Pay (based on sex only) |
| <input type="checkbox"/> Denial/Failure to hire | <input checked="" type="checkbox"/> Discipline (Write-up, Suspension, etc) | <input type="checkbox"/> Other |

If you have marked other, please briefly describe the discriminatory act.

Please write a concise statement summarizing the act(s) of discrimination and why you believe it is discrimination. In your statement, include information as to who committed the act of discrimination (name and position), any reason given for the act of discrimination, when the acts occurred and names of others treated more favorably than you.

I am a sergeant for the Elmore Police Department. On January 24th, 2020, I responded to a shooting. I was ordered by Chief Jeffrey Harrison to have a fit for duty evaluation.

On February 18th, 2020, I was seen for a clinical interview by Dr. Michael Kimball, on February 18, 2020, at which time I also completed the MMPI-2-RF. It was recommended for me to receive counseling and be reevaluated.

On February 24, 2020, Chief Harrison sent me an email telling me to take the next six months off on sick leave and after the next six months of non-paid then to retire. I believe Chief Harrison was trying to coerce me into retirement.

On April 27, 2020 Chief Harrison told me that if I came back it would be a lesser capacity. I feel as though this is a retaliatory demotion.

I went to counseling and was diagnosed with adjustment disorder and generalized anxiety disorder. I retested with the MMPI-2-RF.

On June 25, 2020 Chief Harrison refused to release my final psychological testing results from the first



OHIO CIVIL RIGHTS COMMISSION EMPLOYMENT CHARGE OF DISCRIMINATION

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TOLA2(40576)07132020
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Please read and review the following:

I have not commenced any action under Ohio Revised Code §§ 4112.14 or 4112.02(N) with respect to the subject matter of the affidavit. I understand that upon filing of this charge with the Ohio Civil Rights Commission, I am barred from instituting any such civil action and that any monetary award of financial benefit I may receive may be limited to back pay and/or restoration of employment fringe benefits and may not include other damages to which I may be entitled as a result of such civil action.

☒ I am filing a charge alleging AGE DISCRIMINATION and I have read and understood the above information.

I am NOT filing a charge alleging AGE DISCRIMINATION and this does not apply to me.

Please initial to indicate you have read and agreed to the statements below:

I understand that I will not be able to sign this form on-line. A copy will be mailed to me for a notarized signature. An investigation **will not** begin until the Ohio Civil Rights Commission receives a SIGNED AND NOTARIZED CHARGE from me. INITIALS JD

I declare under penalty of perjury that I have read the above charge and that it is true to the best of my knowledge, information and belief. I will advise the agency/agencies if I change my address or telephone number and that I will cooperate fully in the processing of my charge in accordance to their procedures. INITIALS JD

Jeremy D. Tigner
Charging Party

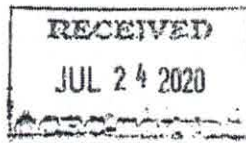
7-21-20
Date

Subscribed and Sworn to me on this 21 day of July of 2020

Carol Rettig
Ohio Civil Rights Commission Representative or Notary



CAROL RETTIG
Notary Public, State of Ohio
My Comm. Expires 04/11/2024
Recorded in Sandusky County



OHIO CIVIL RIGHTS COMMISSION CHARGE OF DISCRIMINATION EMPLOYMENT	Agency Use Only	CHARGE NUMBER: (Agency Use Only)
	<input checked="" type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	TOLA2(40576)07132020 AMENDED 22A-2020-02388C

Completely Fill in the Following

Jeremy Darrell Tipton
Name of Charging Party (First Middle Last)
346 Ottawa Street PO BOX 116
Address
Elmore OH 43416 Ottawa
City State Zip Code County
419-969-5877
Telephone Number
4/27/20
Date(s) of Discrimination

Village of Elmore Police Department
Name of Company
344 Rice Street
Address
Elmore OH 43416
City State Zip Code County
Telephone Number
+15 1/20/20
Total Number of Employees Date of Hire

I believe I was discriminated against because of my: (Please identify)

- ☐ Race/Color
☐ Sex
☒ Disability
☐ Military Status
☒ Age (Over 40 years old only - List Date of Birth) [REDACTED]

- ☐ Religion
☐ National Origin/Ancestry
☐ Retaliation

FOR AGE CASES ONLY: I have not commenced any action under sections 4112.14 or 4112.02(N), Revised Code with respect to the subject matter of the affidavit. I understand that upon filing of this charge with the Ohio Civil Rights Commission, I am barred from instituting any such civil action and that any monetary award or financial benefit I may receive may be limited to back pay and/or restoration of employment fringe benefits and may not include other damages to which I may be entitled as a result of such civil action.

Type of Discrimination:

- ☒ Demotion
☐ Failure to Hire
☐ Layoff
☒ Other (Specify) Terms and Conditions (Coercion into retirement, failure to release medical records)
- ☒ Discharge/Termination
☐ Forced to Resign
☐ Promotion
- ☒ Discipline
☐ Harassment/Sexual Harassment
☐ Reasonable Accommodation

Please write a brief but detailed statement of the facts that you believe indicate an unlawful discriminatory practice. Please write legibly.

- I am a 47 year old disabled individual. I have been employed by Respondent since January 20, 2006, most recently as a Sergeant. I was subjected to different terms and conditions, demotion, discipline and termination.
- I believe I have been subjected to a demotion due to my age and disability because:
 - I responded to a shooting and was ordered to complete a fitness for duty after showing signs of psychological trauma.
 - On April 27, 2020 Chief Harrison told me that if I came back it would be a lesser capacity.
 - I advised I wished to return to work.
 - Others not of my protected class were treated more favorably.
- I believe I was subjected to different terms and conditions of employment due to my disability and age because:
 - On February 18th, 2020, I was seen for a clinical interview by Dr. Michael Kimball, on February 18, 2020, at which time I also completed the MMPI-2-RF. It was recommended for me to receive counseling and be reevaluated.
 - On February 24, 2020, Chief Harrison sent me an email telling me to take the next six months off on sick leave and after the next six months of non-paid then to retire. I believe Chief Harrison was trying to coerce me into retirement.
 - On June 25, 2020 Chief Harrison refused to release my final psychological results from the final summary of the first Psychologist.
- I believe that I received discipline and termination due to my age and disability because:
 - On July 1st, 2020 I was summoned by Chief Harrison to serve me with disciplinary termination papers.
 - This occurred while I was on an ordered sick leave.
 - Others not of my protected class were not served disciplinary termination.



CAROL RETTIG
Notary Public, State of Ohio
My Comm. Expires 04/11/2024
Recorded in Sandusky County

I declare under penalty of perjury that I have read the above charge and that it is true to the best of my knowledge, information and belief. I will advise the agency(ies) if I change my address or telephone number and that I will cooperate fully with them in the processing of my charge in accordance to their procedures.

Jeremy D Tipton 7-21-20
Charging Party Signature Date

Notary or Ohio Civil Rights Commission Representative

Subscribed and sworn to before me on this

21 day of July 2020

Notary or Commission Representative

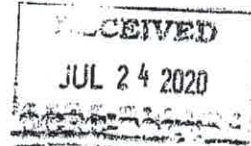


OHIO CIVIL RIGHTS COMMISSION EMPLOYMENT CHARGE OF DISCRIMINATION

Charging Party:

TOLA2(40576)07132020
22A-2020-02388C

OCRC Case Number:



Your Name (First and Last Name)

Jeremy Tipton

Employer Name

The Village of Elmore Police Department

Your Street Address

346 Ottawa Street

Employer Street Address

344 Rice Street

Your City, State and Zip Code

Elmore, Ohio 43416

Employer City, State and Zip Code

Elmore, Ohio 43416

Your Telephone Number

419-969-5877

Employer Telephone Number

419-862-3980

Your Alternate Phone Number (Optional)

419-324-6751

County where Employer is located (if in Ohio)

Ottawa

Your Email Address

epd7703@gmail.com

Total Number of Workers Employed

9

Date(s) of Discrimination (Must have occurred within **SIX MONTHS from the charge filing date)**

February 24, 2020 April 27, 2020, June 25, and July 1, 2020

I was discriminated against on the basis of:

- Race/Color
- Sex
- Pregnancy
- Gender Stereotyping
- ☒ Disability (DO NOT IDENTIFY)

- ☒ Age (over the age of 40 ONLY)
- National Origin/Ancestry
- Military Status
- Religion
- ☒ Retaliation (for protesting discrimination)

Indicate how you are a member of the group marked above. (Example – If you marked race, identify your race. If you marked age, identify your age and birthdate.) **DO NOT IDENTIFY YOUR DISABILITY OR MEDICAL CONDITION.**

47 years old [REDACTED]

C A S E A C T I V I T Y
&
P E R S O N A L I N F O R M A T I O N L O G

Page 1 of 6

CASE NAME: Jeremy Tipton v. Village of Elmore Police
CASE NUMBER: TOLA2(40576)07132020/22A-2020-02388C

Acknowledgment: I acknowledge that the information on this page is true and complete and that I have accessed CPI only for purposes relating to my job duties or my agency's governmental function.

DATE	INITIALS	ACTIVITY/COMMENTS
7-13-20	SAA	+++Online Charge Received
		Respondent Contact Rep. Name, Title, Address, Phone Number: Jeffery Harrison, Chief of Police Village of Elmore Police 344 Rice Street Elmore, OH 43416
7-13-20	IFL	Case assigned and given to : SMS
7-17-20	SAA	Notification letter sent to CHARGING PARTY ADVISING CHARGE MUST BE NOTARIZED WITHIN TEN DAYS. (Also sent info packet, charging party questionnaire, ADR notification form, medical docs) IF CHARGE IS NOT TIMELY NOTARIZED, 30TH DAY LETTER MUST BE SENT IF CHARGE IS STILL NOT TIMELY NOTARIZED, 15TH DAY LETTER MUST BE SENT.
		Notification letter and charge sent to RESPONDENT; due date:
		Medical release & questionnaire sent to CHARGING PARTY; due date:...
7/20/20	SMS	Staff received and reviewed charge.
7/20/20	SMS	Staff called CP at 419-969-5877 and sent email to epd7703@gmail.com requesting CP contact staff for follow up
7/20/20	SMS	Staff received email from CP. Staff called CP and discussed process and Amended charge. Staff sent original and Amended charge to CP
7/20/20	SMS	Staff received email from CP with documents and amended charge. Staff to review with CP Tuesday, July 21, 2020 at 9:00 am
7/21/20	SMS	Staff sent medical documents to CP
7/23/20	SMS	Staff received additional information via email from CP

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C A S E A C T I V I T Y & P E R S O N A L I N F O R M A T I O N L O G

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CASE NAME: Jeremy Tipton v. Village of Elmore Police

CASE NUMBER: TOLA2(40576)07132020/22A-2020-02388C

Acknowledgment: I acknowledge that the information on this page is true and complete and that I have accessed CPI only for purposes relating to my job duties or my agency's governmental function.

DATE	INITIALS	ACTIVITY/COMMENTS
7/27/20	SMS	Staff received emails from CP regarding labor issue. Staff emailed CP with Department of Labor contact information
7/27/20	SMS	Staff received signed notarized charge
7/28/20	SMS	Staff received updated statement for CP
8/3/20	SMS	Staff received email updates from CP.
8/3/20	SMS	Staff received email from CP. CP has appeal meeting August 10 via Zoom. Staff called CP with update of notifications letters and medical forms.
8/4/20	SMS	Staff received an email from CP with attorney information. CP states My attorney is going to be Jason Matthews. He is a civil rights attorney in the Dayton area. He is going to represent me at the appeal. Staff sent email requesting letter of representation
8/5/20	SMS	Staff received email with attachments from CP
8/5/20	SMS	Staff (SMS) contacted Charging Party regarding commencement of investigation by email. Charging Party support documents requested
8/5/20	SMS	Staff (SMS) notified Charging Party of the mediation & conciliation process, via email.
8/5/20	SMS	Staff received email from CP
8/5/20	SMS	Staff called CP left message
8/14/20	SMS	Staff received an email from R Rep: Lisa E. Pizza <i>Attorney at Law</i> Spengler Nathanson P.L.L. 900 Adams Street Toledo, Ohio 43604 lpizza@snlaw.com http://www.snlaw.com Phone: (419) 252-6227 Fax: (419) 241-8599
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C A S E A C T I V I T Y
&
P E R S O N A L I N F O R M A T I O N L O G

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CASE NAME: Jeremy Tipton v. Village of Elmore Police
CASE NUMBER: TOLA2(40576)07132020/22A-2020-02388C

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DATE	INITIALS	ACTIVITY/COMMENTS
8/17/20	SMS	Staff received email request from R Rep for a 30-day extension. Staff granted extension. Documents due September 16, 2020.
8/17/20	SMS	Staff sent email to CP with status update
8/17/20	SMS	Staff received an update from CP. Staff confirmed update via email to CP
8/18/20	SMS	Staff received emails from CP. CP states he was terminated and has multiple questions. CP provided additional documents
8/18/20	SMS	Staff called CP. Staff discussed emails and the Commission jurisdiction. CP wants a retaliation charge. CP has filed for unemployment.
8/31/20	SMS	Staff received email from CP with attached document and update. Staff confirmed receipt
9/8/20	SMS	Staff received email from CP with additional documents. Staff confirmed receipt.
9/14/20	SMS	Staff received email from CP with updated information and a documents showing CP was approved for unemployment and traffic citation documents
9/14/20	SMS	Staff requested the 2 nd and 11 th email be resent. R sent the emails and will mail a video. R links to the email will not pass the states protected status.
9/14/20	SMS	Staff received R position statement and attachments. Staff reviewed and requested interviews
9/14/20	SMS	Staff called CP provide case status update and discuss discussed rebuttal letter. Staff sent rebuttal letter to CP
9/16/20	SMS	Staff received email form R Rep regarding available dates for interviews. Staff confirmed availaibility.

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C A S E A C T I V I T Y
&
P E R S O N A L I N F O R M A T I O N L O G

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CASE NAME: Jeremy Tipton v. Village of Elmore Police
CASE NUMBER: TOLA2(40576)07132020/22A-2020-02388C

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DATE	INITIALS	ACTIVITY/COMMENTS
9/16/20	SMS	Staff received an email from CP to call. Staff called CP to discuss issues.
9/21/20	SMS	Staff received and reviewed CP rebuttal and documents
9/28/20	SMS	Staff received email from CP requesting update. Staff sent update via email
10/1/20	SMS	Staff received an email form Cp. Cp stated Respondent swore in a new officer shown on Facebook. The new officer is a Caucasian male, early twenties. Staff verified Facebook post
10/8/20	SMS	Staff received an email from R rep requesting interview date of 10/12/2020. Staff responded that is a government holiday and requested another day.
10/8/20	SMS	Staff received an email from CP requesting update. Staff emailed update to CP
10/22/20	SMS	Staff received email with attached documents from CP
11/3/20	SMS	Staff received an email from CP requesting an update. Staff provided status update via email
11/12/20	SMS	Staff received additional documents from CP. Staff confirmed receipt of the documents.
11/18/20	SMS	Staff received an email from CP requesting an update. Staff sent update to CP via email
12/1/20	SMS	Staff received an email from CP with attachments. Staff reviewed the attachments.

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C A S E A C T I V I T Y

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P E R S O N A L I N F O R M A T I O N L O G

Page 5 of 6

CASE NAME: Jeremy Tipton v. Village of Elmore Police
CASE NUMBER: TOLA2(40576)07132020/22A-2020-02388C

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DATE	INITIALS	ACTIVITY/COMMENTS
12/2/20	SMS	Staff received an email from CP with additional information. Staff confirmed receipt via email
12/28/20	SMS	Staff received additional recordings via email from CP. Staff confirmed receipt.
1/6/21	SMS	Staff received an email from CP with update. CP Attorney has filed a brief in court and CP sent as a attachment. Staff called CP with case status update
1/13/21	SMS	Staff received email with attachment from CP. Staff confirmed receipt. Staff attempted to reach witnesses.
2/3/21	SMS	Staff received an email from CP requesting update. Staff completed case status review and sent CP email update via email.
2/16/21	SMS	Staff received email from CP with update. Staff called CP left message.
2/16/21	SMS	Staff received an email from CP. Staff called CP to discuss updates.
3/11/21	SMS	Staff received an email from CP with additional information. Staff confirmed receipt
3/16/21	SMS	Staff called CP to discuss if any additional information and witnesses. CP stated no additional information and witnesses. Staff explained jurisdiction. CP stated comparative discipline employee, no one else under 40 employed.
3/22/21	SMS	Staff received an email with update.
3/22/21	SMS	Staff called CP left message.
3/23/21	SMS	Staff called CP and discussed up dates.
3/24/21	SMS	Staff received an email from CP stating Cp was offered 3 months pay to drop his charge

